Licensed by the California Board of Accountancy Member: American Institute of Cartilled Public Accountants

To the Board of Supervisors
Counties of San Bernardino and Riverside

We have audited the accompanying statements of receipts, disbursements and changes in trust fund cash of the San Bernardino/Riverside Regional Remote Access Network and San Bernardino Local Access Network (the CAL-ID Program) for the years ended June 30, 2007 and 2006 and have issued our report thereon dated August 14, 2008. Professional standards require that we provide the following information related to our audit:

# Our Responsibility Under Auditing Standards Generally Accepted in the United States of America and Government Auditing Standards

As stated in our engagement letter, our responsibility, as described by professional standards, is to plan and perform our audit to obtain reasonable, but not absolute, assurance about whether the financial statements are free of material misstatement. Because of the concept of reasonable assurance and because we did not perform a detailed examination of all transactions, there is a risk that material errors, fraud, or other illegal acts may exist and not be detected by us.

In planning and performing our audit, we considered the CAL-ID Program's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting. We also considered internal control over compliance with requirements that could have a direct and material effect on the CAL-ID Program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance.

As part of obtaining reasonable assurance about whether the CAL-ID Program's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit.

#### **Significant Accounting Policies**

Management has the responsibility for selection and use of appropriate accounting policies. In accordance with the terms of our engagement letter, we will advise management about the appropriateness of accounting policies and their application. The significant accounting policies used by the CAL-ID Program are described in Note 1 of the financial statements.

We noted no transactions entered into by the CAL-ID Program that were both significant and unusual, and of which, under professional standards, we are required to inform you, or transactions for which there is a lack of authoritative guidance or consensus.

#### **Accounting Estimates**

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected.

#### Significant Audit Adjustments

Significant audit adjustments are required to record those amounts for financial statement reporting purposes that are not recorded on the books and records for the grant. There were no such adjustments for the years ended June 30, 2007 and 2006.

#### Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter that could be significant to the financial statements or the auditors' report. We are pleased to report that no such disagreements arose during the course of our audit.

#### **Consultations with Other Independent Accountants**

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the CAL-ID Program's financial statements or a determination of the type of auditors' opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

#### **Issues Discussed Prior to Retention of Independent Auditors**

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management prior to retention as the CAL-ID Program's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

#### Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

We would like to take this opportunity to express our sincere appreciation to all personnel within the San Bernardino County CAL-ID Program for their cooperation and valuable assistance during the performance of this engagement.

This report is intended solely for the information and use of the CAL-ID Program's management and the Board of Supervisors for the Counties of San Bernardino and Riverside, and is not intended to be, and should not be, used by anyone other than these specified parties.

Sowell & Spafford, LXF

August 14, 2008

# SAN BERNARDINO/RIVERSIDE REGIONAL REMOTE ACCESS NETWORK AND SAN BERNARDINO LOCAL REMOTE ACCESS NETWORK (The CAL-ID PROGRAM)

Financial Statements with Independent Auditors' Reports

> For the Years Ended June 30, 2007 and 2006

# TABLE OF CONTENTS

	Page
Financial Section	
Independent Auditors' Report on Financial Statements	1
Statements of Receipts, Disbursements and Changes in Trust Fund Cash Notes to Financial Statements	2 3
Supplementary Information	
Schedule of Receipts and Disbursements - Operating Funds (Unaudited) Note to Supplementary Information	5
Auditors' Other Reports Section	
Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards	7
Independent Auditors' Report on Compliance with Management's Assertions	9
San Bernardino County's Statement of Compliance with Management's Assertions	10
Findings and Questioned Costs Section	
Findings and Questioned Costs Status of Prior Year Findings and Ouestioned Costs	12 14

Jessie C. Powell, CPA Patrick D. Spafford, CPA

Licensed by the California Board of Accountancy Member: American Institute of Certified Public Accountants

#### Independent Auditors' Report on the Financial Statements

To the Boards of Supervisors of Counties of San Bernardino and Riverside

We have audited the accompanying statements of receipts, disbursements and changes in trust fund cash of the San Bernardino/Riverside Regional Remote Access Network and San Bernardino Local Access Network (the CAL-ID Program) for the years ended June 30, 2007 and 2006. These financial statements are the responsibility of the CAL-ID Program's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the receipts, disbursements and changes in trust fund cash of the CAL-ID Program for the years ended June 30, 2007 and 2006 on the basis of accounting described in Note 1.

In accordance with Government Auditing Standards, we have also issued our report dated August 14, 2008 on our consideration of the Agency's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.

Our audit was made for the purpose of forming an opinion on the statements of receipts, disbursements and changes in trust fund cash taken as a whole. The supplementary information listed in the Table of Contents is presented for purposes of additional analysis and is not a required part of the statements. Such information has not been subjected to the auditing procedures applied in the audit of the statements and, accordingly, we express no opinion on it.

Sowell & Spafford, ZZF

August 14, 2008

# Statements of Receipts, Disbursements and Changes in Trust Fund Cash

For the Years Ended June 30, 2007 and 2006

Regional Programs	2007			<u>2006</u>
<u>AFIS</u>				
Contractual payment - County of Riverside	\$	1,234,817	\$	215,000
Contractual payment from local program - County of San Bernardino		215,000		215,000
Interest earnings		73,837		53,909
Total receipts		1,523,654		483,909
Cash transfer to operating fund		1,708,041		1,185,800
Receipts over (under) disbursements		(184,387)		(701,891)
Beginning balance		717,780	*****	1,419,671
Ending balance		533,393		717,780
<u>DNA</u>				
Contractual payment - County of Riverside		400,000		315,000
Contractual payment from local program - County of San Bernardino		737,750		585,000
Interest earnings		46,515		28,155
Total receipts		1,184,265		928,155
Cash transfer to operating fund		1,163,679		1,029,963
Receipts over (under) disbursements		20,586		(101,808)
Beginning balance		388,174		489,982
Ending balance		408,760		388,174
Total Regional Programs cash balance at yearend	\$	942,153	<u>\$</u>	1,105,954
Local Program				
San Bernardino AFIS				
Contractual payments	\$	1,487,883	\$	1,360,387
LiveScan fees		66,172		75,232
Interest earnings		268,873		184,229
Penalty assessment fines		588,742		524,905
DMV assessment, net	-,	1,658,160		1,632,268
Total receipts		4,069,830		3,777,021
Cash transfer to Regional AFIS and DNA		952,750		800,000
Cash transfer to operating funds		3,268,187		3,119,217
Receipts over (under) disbursements		(151,107)		(142,196)
Beginning balance		5,526,460		5,668,656
Total Local Program cash balance at yearend	\$	5,375,353	<u>\$</u>	5,526,460

The accompanying notes are an integral part of this statement.

#### **Notes to Financial Statements**

#### 1. Summary of Operations and Significant Accounting Policies

#### **Description of the Program**

The San Bernardino/Riverside Regional Remote Access Program (the CAL-ID Program) is a two-county contractual program between San Bernardino and Riverside Counties for computerizing fingerprint records and performing DNA analyses to support criminal investigations. It also allows local agencies in both counties to access the databases of other jurisdictions to conduct fingerprint searches. The CAL-ID Program is administered by the San Bernardino County Sheriff's Department's Grants/Cost Recovery Unit.

The accompanying financial statements presents only the activities of the CAL-ID Program and are not intended to present the results of operations or other activities of the San Bernardino County Sheriff's Department nor the County of San Bernardino itself in conformity with accounting principles generally accepted in the United States of America.

#### **Automated Fingerprint Identification System (AFIS)**

<u>Regional</u>: The regional program provides hardware and software used to maintain fingerprint records. The system is for both counties and local police agencies.

<u>Local</u>: The San Bernardino County program enables local police agencies to interface with the regional system. The program allows agencies to input fingerprint data and perform database searches.

#### Regional Deoxyribonucleic Acid (DNA) Laboratory

The regional program provides for equipment and operation of a DNA analysis laboratory located at the San Bernardino Sheriff's Department Crime Laboratory. Services are available to all San Bernardino and Riverside local police agencies. However, due to the expense of DNA analysis, criteria have been established to define which cases will be accepted.

#### **Funding and Cost Recovery for Regional Programs**

The Regional AFIS program is funded equally by San Bernardino and Riverside Counties. During the year ended June 30, 2007, Riverside County provided additional funding of \$1,019,817 for the County's portion of the AFIS upgrade for new equipment.

The Regional DNA program is funded by San Bernardino and Riverside Counties based on the amount of DNA cases analyzed by the crime laboratory. For the years ended June 30, 2007 and 2006 the contribution rate was 65% for the County of San Bernardino and 35% for the County of Riverside.

#### Funding and Cost Recovery for Local Program

The Local Program receives a portion of its receipts from court-imposed penalty assessment fines. Senate Bill (SB) 1148, effective October 1, 1988, states an additional \$.50 assessment will be levied on every \$10 fine, penalty or forfeiture imposed or collected by the courts for criminal offenses.

#### **Notes to Financial Statements**

# 1. Summary of Operations and Significant Accounting Policies (Continued)

### Funding and Cost Recovery for Local Program (Continued)

The funds collected are deposited directly by the courts into the local AFIS trust fund.

On September 30, 1997, the State enacted SB720 adding Section 9250.19 to the Vehicle Code, which provides that, upon request by a county, the Department of Motor Vehicles can, with certain exceptions, collect a \$1 fee from every motor vehicle registered within each County for the five-year period of January 1, 1998 through January 1, 2005. The State has subsequently extended the sunset date to January 1, 2012. The funds collected are to be used for <u>local</u> programs to enhance law enforcement fingerprint identification. On October 28, 1997, the San Bernardino County Board of Supervisors adopted a resolution implementing a \$1 registration assessment on vehicles registered in San Bernardino County to fund their AFIS local program.

The Local Program also receives additional funds from San Bernardino County and participating cities based on relative population.

#### **Basis of Accounting**

The trust account financial statements are prepared on a cash basis of accounting, which is a comprehensive basis of accounting other than accounting principals generally accepted in the United States of America. Receipts and disbursements are recognized when cash is received or when cash is paid.

The trust funds are maintained by the San Bernardino Auditor/Controller-Recorder (ACR) under the terms of various contracts between San Bernardino and Riverside Counties. The ACR is the trustee for both the regional programs and the local program for San Bernardino County. As trustee, the ACR is responsible for collecting and disbursing all funds.

#### 2. Commitments

Through a contractual agreement between San Bernardino and Riverside Counties, the Counties must jointly approve an agreement for computer and equipment purchases and vendor maintenance. The Counties have a contract with N.E.C. Technologies, Inc. (N.E.C.) the state-selected contractor for the CAL-ID Program. The Program had outstanding purchase commitments at June 30, 2007 of approximately \$963,035.53 to N.E.C.

SUPPLEMENTARY INFORMATION

# Schedule of Receipts and Disbursements - Operating Funds (Unaudited)

For the Years Ended June 30, 2007 and 2006

Regional Programs		2007	2006	
<u>AFIS</u>				
Revenue:				
Reimbursements from trust fund	\$	1,708,041	\$	1,185,800
Expenditures:				
Salaries and benefits		<b>-</b>		-
Services and supplies		228,016		259,171
Capital Outlay		1,439,984		952,383
		1,668,000		1,211,554
Balance due to/(from) trust fund	\$	40,041	\$	(25,754)
<u>DNA</u>				
Revenue:	e ·	1 162 670	<b>e</b> r	1 020 062
Reimbursements from trust fund	<u>\$</u>	1,163,679	<u> </u>	1,029,963
Expenditures:				
Salaries and benefits		1,243,868		813,454
Services and supplies	***************************************	105,069		94,870
	<del></del>	1,348,937		908,324
Balance due to/(from) trust fund	. S	(185,258)	\$	121,639
Local Program				
San Bernardino AFIS				
Revenue:				
Reimbursements from trust fund	<u>\$</u>	3,268,187	\$	3,119,217
Expenditures:				
Salaries and benefits		2,417,829		2,028,729
Services and supplies		550,321		505,749
Capital outlay		394,153		248,502
		3,362,303		2,782,980
Balance due to/(from) trust fund	\$ \$	(94,116)	\$	336,237

#### Note to Supplementary Schedule

#### 1. Basis of Presentation

The auditor/controller-recorder maintains separate operating funds for each program and is presented in the accompanying schedule of receipts and disbursements. This schedule is prepared on the cash basis of accounting, where in receipts for reimbursement of expenditures and disbursements are recognized when the cash is received or when the cash is paid.

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#### Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

To the Board of Supervisors Counties of San Bernardino and Riverside

We have audited the accompanying statements of receipts, disbursements and changes in trust fund cash of the San Bernardino/Riverside Regional Remote Access Network and San Bernardino Local Access Network Programs (the CAL-ID Program) for the years ended June 30, 2007 and 2006 and have issued our report thereon dated August 14, 2008. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

#### **Internal Control over Financial Reporting**

In planning and performing our audit, we considered the CAL-ID Program's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the CAL-ID Program's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the CAL-ID Program's control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatement on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the CAL-ID Program's ability to initiate, authorize, record, process, or report financial data reliably in accordance with accounting principles generally accepted in the United State of America such that there is more than a remote likelihood that a misstatement of the CAL-ID Program's financial statements that is more than inconsequential will not be prevented or detected by the CAL-ID Program's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the CAL-ID Program's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph and would not necessarily identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

#### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the CAL-ID Program's financial statement is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards* issued by the Comptroller General of the United States and which are described in the accompanying schedule of findings and questioned costs as items 07/06-1 and 07/06-2.

The San Bernardino County Sheriff's Department's responses to the findings identified in our audit are described in the accompanying Schedule of Findings and Questioned Costs. We did not audit the San Bernardino County Sheriff's Department's responses and, accordingly, we express no opinion on them.

This report is intended solely for the information and use of the CAL-ID Program's management and the Board of Supervisors for the Counties of San Bernardino and Riverside, and is not intended to be, and should not be, used by anyone other than these specified parties.

Sowell & Spafford, ZZF

August 14, 2008

Licensed by the California Board of Accountancy Member: American Institute of Certified Public Accountants

#### Independent Auditors' Report on Compliance with Management's Assertions

To the Board of Supervisors Counties of San Bernardino and Riverside

We have examined management's assertions regarding the San Bernardino/Riverside Regional Remote Access Network and San Bernardino Local Access Network (the CAL-ID Program) compliance with the terms and provisions of applicable agreements for the years ended June 30, 2007 and 2006, included in the accompanying Cal-ID Statement of Compliance. Management is responsible for the CAL-ID Program's compliance with those requirements. Our responsibility is to express an opinion on management's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence about the CAL-ID Program's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination of the CAL-ID Program's compliance with specified requirements.

In our opinion, the CAL-ID Program complied, in all material respects, with the aforementioned requirements for the years ended June 30, 2007 and 2006.

This report is intended solely for the information and use of the CAL-ID Program's management and the Board of Supervisors for the Counties of San Bernardino and Riverside, and is not intended to be, and should not be, used by anyone other than these specified parties.

August 14, 2008

Sowell & Spafford, LXF

# AUDITOR/CONTROLLER-RECORDER COUNTY CLERK

AUDITOR/CONTROLLER • 222 West Hospitality Lane, Fourth Floor San Bernardino, CA 92415-0018 • (909) 387-8322 • Fax (909) 386-8830 RECORDER • COUNTY CLERK • 222 West Hospitality Lane, First Floor San Bernardino, CA 92415-0022 • (909) 387-8306 • Fax (909) 386-9050 SAN BENARDING

COUNTY OF SAN BERNARDING

LARRY WALKER
Auditor/Controller-Recorder
County Clerk

ELIZABETH A. STARBUCK, CGFM Assistant Auditor/Controller-Recorder Assistant County Clerk

August 14, 2008

SAN BERNARDINO/RIVERSIDE REGIONAL RAN BOARD SAN BERNARDINO COUNTY LOCAL RAN BOARD 880 East Mill Street San Bernardino, California 92415-0054

SUBJECT: REGIONAL AND LOCAL RAN PROGRAMS (CAL ID)

STATEMENT OF COMPLIANCE

FUNDS HELD IN THE SAN BERNARDINO COUNTY TREASURY

In connection with funds held in the San Bernardino County Treasury for the San Bernardino/Riverside Regional Remote Access Network (Regional RAN, also known as Regional CAL ID) and the San Bernardino Local Remote Access Network (Local RAN, also known as Local CAL ID) for the two fiscal years from July 1, 2005 through June 30, 2007, we have complied with the stated terms of the following agreements executed by the County of San Bernardino, the County of Riverside and the cities located within San Bernardino County. Specifically, we managed funds held for these programs such that, to the best of our knowledge and belief, we assured compliance with the provisions and established procedures as stated below.

- 1. Established procedures between the counties of San Bernardino and Riverside:
  - a. Riverside and San Bernardino counties each agree to be responsible for 50% of the cost of the Regional AFIS Program, and also agree that San Bernardino be responsible for 65% of the Regional DNA costs and Riverside for the remaining 35%.
  - b. The Regional RAN Board will adopt an annual budget, which will be approved by the Riverside County and San Bernardino County Boards of Supervisors;
  - c. San Bernardino and Riverside counties will remit to the San Bernardino County Auditor/Controller-Recorder their annual contributions;
  - d. The San Bernardino County Auditor/Controller-Recorder will reimburse the San Bernardino County Sheriff's Department for actual expenses incurred by Regional and Local RAN operations;
  - e. San Bernardino County will provide Riverside County with a financial statement at the end of each fiscal year covering the expenses of the Regional RAN;
  - f. The Sheriffs of Riverside and San Bernardino counties will be responsible for fiscally managing and operating the Regional RAN systems; as a matter of practice, this includes ensuring that all documents have the proper signatures, and that funds are disbursed only for program purposes.

#### SAN BERNARDINO/RIVERSIDE REGIONAL RAN BOARD SAN BERNARDINO COUNTY LOCAL RAN BOARD August 14, 2008 Page 2 of 2

- 2. Established procedures between San Bernardino County and each city within San Bernardino County:
  - a. San Bernardino County and each of the participating cities within San Bernardino County share in San Bernardino County's Regional and Local RAN program costs by paying an assessment fee of \$0.75 per capita based on population figures from the California Department of Finance.
  - b. Funds will be held in separately identifiable interest-bearing accounts with the County;
  - c. The Sheriff of San Bernardino County will be responsible for managing and operating the San Bernardino County Local RAN system consistent with the direction of the Local RAN Board;
  - d. San Bernardino County shall provide users with a financial statement at the end of each fiscal year.

**COUNTY OF SAN BERNARDINO** 

Larry Walker, Auditor/Controller-Recorder

Gary Penrod, Sheriff

Howard Ochi, CPA, Chief Deputy Auditor

#### **Findings and Questioned Costs**

#### Compliance and Other Matters

#### 07/06-1 - Maintenance of Supporting Documentation

*Criteria:* The policies and procedures for the County of San Bernardino Sheriff's Department's maintenance of grant records require that all supporting documentation be maintained to support activity reported for all grant activity.

Condition: During the testing of grant expenditures we noted the following:

- The Sheriff's Department grants/cost recovery unit personnel did not have a central location for all supporting documentation charged to the CAL-ID Program. Items selected for testing needed to be accumulated for the audit. As a result:
  - a. Out of a sample size of 124 expenditure transactions, over six months were needed to accumulate the supporting documentation.
  - b. Payroll allocations to the CAL-ID Program included adjustments (both increases and decreases) with no supporting explanation.
- 2. Prior audit fees were reclassified between trust funds without proper budget modifications. These fees should be allocated between all trust funds.
- 3. Expenditure transactions are recorded (both increases and decreases) which are related to other grants similar to the CAL-ID Program in the operating funds of the CAL-ID Program with no supporting explanation for these adjustments.

Cause: The Sheriff's Department had a change in grants/cost recovery unit personnel and therefore was unable to locate much of the supporting documentation or obtain explanations.

Recommendation: We recommend that the Sheriff's Department reinforce its policies and procedures required for all grants to the CAL-ID Program.

Sheriff's Department Response: The Department grants/cost recovery unit personnel are currently maintaining supporting documentation in separate binders for the CAL-ID Program.

#### 07/06-2 - Monitoring of Budget Variances

*Criteria:* The policies and procedures for the County of San Bernardino Sheriff's Department's maintenance of grant records require that personnel monitor budget vs. actual activity including obtaining approval for budget modifications if necessary.

Condition: During the testing of grant expenditures budget vs. actual we noted that two of the trust funds for each fiscal year expended more than amounts budgeted in total and by certain expenditure line items.

#### **Findings and Questioned Costs**

# 07/06-2 - Monitoring of Budget Variances (Continued)

Cause: The Sheriff's Department monitored budget variances but did not follow-up on noted variances where the actual expenditures exceeded budgeted amounts.

Recommendation: We recommend that the Sheriff's Department reinforce its policies and procedures required for all grants to the CAL-ID Program.

Sheriff's Department Response: The Department grants/cost recovery unit personnel will better monitor budget vs. actual activity and obtain the proper approvals or budget modification when variances are noted

# Status of Prior Year Findings and Questioned Costs

For the Year Ended June 30, 2007

No findings or questioned costs were noted during the prior years' audit engagements.